

**DEPARTMENT OF EDUCATION**  
**SPECIAL EDUCATION PROGRAMS**  
**Brookings School District**  
**Accountability Review - Monitoring Report 2012-2013**

**Team Members:** Chris Sargent, Team Leader

**Date of Off-Site Report:** January 15, 2013

**Date Closed:** January 15, 2013

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**Program monitoring and evaluation.**

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Division of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
  - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
  - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

**State monitoring--Quantifiable indicators and priority areas.**

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
  - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
  - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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**State enforcement -- Determinations.**

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Division of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or

- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

**Deficiency correction procedures.**

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

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**GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR**

May 3<sup>rd</sup>, 2012: Mediation was conducted with resolution agreement to go into effect on May 4<sup>th</sup>, 2012.

**Resolution Components:**

Issue 1: Evaluation and Eligibility of (student)

--Student will complete at district expense while meeting the district guidelines for IEE the following assessments:

Autism evaluation to include reading and speech assessment including semantic/pragmatic assessments

Neuropsychological evaluation

Occupational evaluation including visual perceptual, sensor and fine motor

--Parents have the discretion to submit evaluation to their insurance carrier but if not, the district will pay expenses for the above evaluation.

--The evaluations will be completed as soon as can be scheduled and the school and parents will have an IEP eligibility meeting once staff are in session for the 2012-13 school year or the earliest possible date once evaluations are completed and received. Additional eligible meetings may be required if all assessment are not completed by that meeting or if additional assessments are required.

Issue 2: Process for evaluation of (student)

--Parents and school personnel will provide the evaluators with information about the purpose and needs of (student) to assist the evaluator in completing the evaluations. Information will include a request for suggestions/guidelines for her educational program, and, if additional evaluations are necessary, then the rationale for additional evaluations.

Issue 3: Trust and miscommunication between parties

--Parents and school personnel will attempt to communicate as soon as practical about potential problems or issues pertaining to the education program for (student) to help prevent breakdowns or conflict regarding the education program for (student).

**Follow-up to case:**

January 7, 2013: File review and interview with Special Education Director

January 3, 2012: District comprehensive evaluation report

January 19<sup>th</sup>, 2012: Eligibility meeting was held. Evaluation data did not yield scores to support of Prong #1 of States eligibility requirements.

April 26, 2012: Letter to the district setting a mediation date of May 3, 2012.

May 1, 2012: Psychological report available in file indicating mood disorder.

May 3, 2012: Mediation conducted

June 12, 2012: Sensory Profile

August 24, 2012: Parent requested a team meeting before school to share outside evaluation results. Meeting held August 28, 2012

August 28, 2012: District requested current achievement evaluation be administered. Prior notice/consent signed at the meeting on this date.

June 19, 2012: Adaptive behavior evaluation – Adolescent Psychologist, Avera Medical Group

September 17&18, 2012: SD Center for Disabilities conducted an evaluation in the areas of ability, adaptive behavior, behavior autism specific instrument, achievement (to include reading), communication (pragmatics), hearing, nutrition and Occupational Therapy (visual, sensory, and fine motor).

September 14, 2012: Achievement evaluation administered by the district.

September 17, 2012: Meeting notice sent for a September 24<sup>th</sup>, meeting to discuss evaluation result, determine eligibility and develop IEP.

October 9, 2012: Classroom Observation

October 18, 2012: Meeting notice sent for October 30, 2012 meeting to determine eligibility and develop IEP.

October 30, 2012: Determination of eligibility meeting conducted and student met eligibility criteria under the categories of Specific Learning Disability and Other Health Impaired (Asperger's Diagnosis). IEP team reported student eligible under the multiple disabilities category. An IEP was written at this time.

November 7, 2012: Parental prior written notice was written with an implementation date of November 13, 2012.

In speaking with Michelle Powers, Special Education Director, educational services have been implemented according to the student's IEP. Parents and the district seem to be in a good working relationship and communication has been positive. Based upon a review of the student file, all aspects of the mediation agreement have been met.

**Corrective Action: None**